

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.28474 OF 2022

Sarat Chandra Satapathy

....

Petitioner(s)
Mr.B.Tripathy,Adv.

-versus-

State of Odisha and others

....

Opposite Party(s)
Mr.S.Ghose,AGA

CORAM:
JUSTICE BISWANATH RATH

ORDER
02.11.2022

Order No.

01.

1. Heard learned counsel for the Parties.
2. Learned counsel for the Petitioner alleges in the second attempt of demarcation through Annexure-3 herein unable to be completed on the sole premises of pendency of R.C.No.77 of 2022. Mr. Tripathy, learned counsel for the Petitioner in reference to the R.C.No.77 of 2022 submits there is no involvement of the plot involved in demarcation case involving R.C.No.77 of 2022 claimed to have been pending before the Commissioner, Consolidation & Settlement, Bhubaneswar.
3. Reading through the order dated 19.07.2022, this Court finds, the only reason showing finality to the second attempt of demarcation proceeding on pendency of R.C.No.77 of 2022, considering the serious objection of Mr.Tripathy, learned counsel for the Petitioner that the dispute involved in R.C.No.77 of 2022 is nothing to do with the demarcation proceeding at hand, this Court permits the Petitioner to file appropriate objection indicating clearly the property involved

in the demarcation case as well as the property involved the R.C.No.77 of 2022 in an attempt to satisfy the authority. The Tahasildar, Balipatana on the basis of objection, if find satisfied that the pendency of R.C.No.77 of 2022 has nothing to do with the demarcation proceeding, shall proceed to show finality to the second stage demarcation proceeding involved herein but however involving all parties concerned.

4. The Writ Petition thus stands disposed of.

(Biswanath Rath)
Judge

Swarna

